

REMARKS

Claims 1-7 are all the claims pending in the application.

Claim Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-7 under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. Specifically, the Examiner alleges that the specification does not provide support for “[a] portable information terminal unit [which] is adapted to download or upload data from or to said content server through the plurality of mobile stations, wherein the data is divided into a plurality of pieces and each of the plurality of mobile stations uploads or downloads a portion of the plurality of pieces of the data.” This rejection is respectfully traversed.

As Applicant explained in the Amendment of August 1, 2006, the claims, as amended, find support in the written description at least in figure 4, for example, which shows a data download procedure in which data from a content server 10 is divided into a plurality of pieces, shown as data transmission TID 21, TID 22 and TID 23. As further shown in figure 4, each of these pieces of data is transmitted from the P-MSC 42 to only one of the mobile stations (MS21, MS22 or MS23). Each of these mobile stations then transmits the portion of the data it receives to the portable information terminal unit, which synchronizes with each of the mobile stations. (See, for example, page 15, line 18 through page 17, line 14). Additionally, figure 5 shows an upload operation which is described on page 17, beginning with line 15.

Claim Rejections under 35 U.S.C. § 103

The Examiner has also rejected claims 1-7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Martin, Jr. et al.(U.S. Patent 6,610,105) in view of Chern et al. (U.S. Patent No. 6,381,465).

The Examiner asserts that Martin teaches or suggests every element of independent claim 1, with the exception of a “portable information terminal unit adapted to download or upload data from or to said content server through the plurality of mobile stations, wherein the data is divided into a plurality of pieces and each of the plurality of mobile stations uploads or downloads only a portion of the plurality of pieces of data.” However, the Examiner relies on Chern to supplement the deficient disclosure of Martin. Applicant respectfully disagrees.

The Examiner cannot rely on Chern to supplement the deficient disclosure of Martin, because Chern itself does not teach or suggest at least the element missing in Martin. Specifically, Chern does not teach, or even suggest, at least a “portable information terminal [that] is adapted to download or upload data from or to said content server through the plurality of mobile stations.” Instead, Chern simply describes a “network 140 [that] is typically comprised of a plurality of base stations [112] that provide relay points for a communications network.” However, the base station 112 in Chern is “typically within a geographic area known as a ‘cell’ and handles communications for all wireless devices within the cell.” (emphasis added). (See Col. 4, ll. 2-8). In other words, in Chern, a single base station handles all of the communications for all mobile devices within its range. Conversely, claim 1 recites a device

wherein data can be downloaded or uploaded to or from said content server through a plurality of mobile stations.

Further, Chern also fails to teach, or even suggest, a “plurality of mobile stations, wherein the data is divided into a plurality of pieces and each of the plurality of mobile stations uploads or downloads only a portion of the plurality of data.” Chern merely discloses a method wherein the program “relating to control of the headset could be stored in memory 114 [or] [a]lternatively, the program or portions of it could be stored on a server 136 and downloaded to [the] handset 130 as needed.” (See Col. 13, ll. 15-22). That is, in Chern, if a portion of a program is stored on the server, then the other portions can be stored on the mobile terminal, wherein each portion is transmitted to the mobile terminal as needed. This means that even in cases where the program is split, each required portion of a program acts as an independent unit to be transmitted as needed. However, regardless of the storage configuration, only a single piece of data is transmitted from the server to the mobile terminal at any one time in any configuration described in Chern.

In fact, even if, *arguendo*, Chern discloses splitting a program into pieces, Chern could not disclose transmitting the plurality of pieces separately over a plurality of mobile servers, as Chern uses only a single base station for every mobile device communications, as described above. Accordingly, the combination of Martin and Chern does not render independent claim 1 unpatentable.

With regard to independent claims 2-7, the Examiner’s rejection is respectfully traversed as the combination of Martin and Chern does not teach, or even suggest, all of the elements of

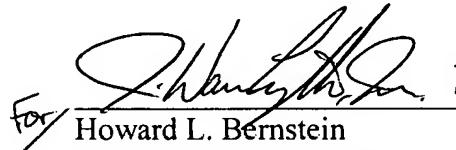
independent claims 2-7 at least for reasons analogous to those recited with regard to claim 1 above.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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